

UNITED STATES DISTRICT COURT FOR THE
FOR THE SOUTHERN DISTRICT OF NEW YORK

ASHLEY NETTYE, INC and BERNARDO
FASHIONS LLC,

Plaintiffs,

v.

CLOUDFLARE, INC., INTER CONNECTS INC., and
JOHN DOES 1-5,

Defendant.

Case No.: 23-cv-02457-NRB

~~[PROPOSED]~~ **DEFAULT
JUDGMENT**

This action was commenced on March 23, 2023. On March 27, 2023, Plaintiffs filed the First Amended Complaint. The Complaint was served upon Defendant Inter Connects Inc. (“Inter Connects”) on March 29, 2023, at the address for its registered agent as set forth in the proof of service filed on May 16, 2023 (ECF 34). Inter Connects acknowledged receipt of the Complaint via email, but neither answered the First Amended Complaint nor appeared in this action. The time for answering the First Amended Complaint having expired, it is

ORDERED, ADJUDGED AND DECREED: that Plaintiffs, ASHLEY NETTYE, INC and BERNARDO FASHIONS LLC, have judgment against Inter Connects as follows:

1. The allegations against Inter Connects in the First Amended Complaint are deemed admitted;
2. Inter Connects is liable for trademark infringement under 15 U.S.C. § 1114, counterfeiting under 15 U.S.C. §§ 1114 and § 1116, and false designation of origin under 15 U.S.C. § 1125(a), and is subject to damages under 15 U.S.C. § 1117;
3. Inter Connects and those in concert or participation with it are hereby enjoined from all further use of Plaintiffs’ intellectual property, including without limitation the

BERNARDO, B BERNARDO, BERNIE, and BERNARDO FASHIONS trademarks;

4. Inter Connects and those in concert or participation with it are hereby enjoined from creating, operating, owning, overseeing, or providing any IP leasing, hosting, masking, DNS, CNS, pass-through security, or any other related services, free or otherwise, to the Infringing Websites www.bernardouterwear.com and www.getbernardo.com.
5. Pursuant to 15 U.S.C. § 1117(c), Inter Connects is liable for an award of statutory damages in the amount of \$25,000 for each act of counterfeiting a registered mark, namely, BERNARDO (Reg. Nos. 2,433,856 and 2,693,870); BERNARDO COLLECTION (Reg. No. 3,038,487); B BERNARDO (Reg. Nos. 4,940,963 and 6,880,961); and BERNIE (Reg. No. 6,901,948), amounting to \$100,000 total.

SO ORDERED:



Hon. Naomi Reice Buchwald
United States District Court

Date: October 23, 2023
New York, New York